

# **North Carolina Department of Justice**

**Strategic Plan**

**2021 – 2023**





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# 1. Strategic Plan Executive Summary

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Attorney General Josh Stein leads the North Carolina Department of Justice and the important work its dedicated employees perform.

Our office's primary functions include:

- protecting North Carolina consumers and vulnerable populations;
- providing legal representation to state agencies;
- assisting local law enforcement in fighting crime and prosecuting cases;
- and managing training and standards for law enforcement.

## **Protecting North Carolina Consumers and Vulnerable Populations**

Our office takes seriously its role to protect North Carolina's consumers. We do so by working to prevent scams, investigating and taking legal action against corporations that break the law, combatting Medicaid fraud, prosecuting tax cheats, and confronting the opioid crisis.

## **Providing Legal Representation to State Agencies**

Attorneys and staff in our Legal Service's Division provide legal advice and representation to state government departments, agencies, and boards/commissions. This work ranges from defending the State against liability claims and in contract disputes to protecting the environment in order to maintain clean air and water.

## **Assisting Local Law Enforcement in Fighting Crime and Prosecuting Cases**

Our Department protects people from crime by prosecuting complex criminal cases and handling all criminal appeals from state trial courts. The State Crime Lab works closely with the state's criminal justice partners and analyzes evidence to convict the guilty and exonerate the innocent.

## **Managing Training and Standards for Law Enforcement**

DOJ supports local law enforcement efforts through The North Carolina Justice Academy which provides training for officers and Criminal Justice Training and Standards and Sheriffs Standards which certify law enforcement officers.

## 2. Mission, Vision, and Values

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The Department of Justice undertook an effort in 2019 to solidify our mission statement, vision, and values. As part of that work, we conducted focus groups and surveys to ensure that these guiding principles reflect our organization as a whole.

### Mission Statement

The North Carolina Department of Justice protects the people of North Carolina through its work to prevent crime and support law enforcement, to safeguard consumers, and to defend the State, its people, and their constitutional rights.

### Vision Statement

The North Carolina Department of Justice provides excellent representation and support to law enforcement, consumers, the State, and its people through teamwork, innovation, and a commitment to public service.

### Organizational Values

**Public Service:** We at the North Carolina Department of Justice are committed to serving all of the people of North Carolina.

**Integrity:** We consider the public good without regard to convenience or self-interest; we are trustworthy and dependable in carrying out our duties, and we uphold the high ethical standards of our professions.

**Excellence:** We strive to do each and every task to the very best of our ability.

**Teamwork:** We believe that we will best serve the people of North Carolina by working collaboratively and sharing ideas and solutions across the Department, with our clients, and with the public.

**Diversity:** We believe that we best serve a diverse public and produce our best work with a workforce comprised of people with different backgrounds.

**Innovation:** We value looking at old problems with fresh eyes, and we don't do anything because it's the way it's always been done.

### 3. Goals, Objectives, and Performance Measures

Goal 1 – Use science to promote justice	
<b>Objective 1.1</b> – Work with local law enforcement to test all untested sexual assault kits in their custody	<b>Performance Measure or Milestone 1.1</b> – <ul style="list-style-type: none"> <li>- Kits Inventoried – 16,186</li> <li>- Testing complete or in progress – 8,326</li> <li>- No Decision on testing by law enforcement - 4,253*</li> </ul> <p>*focus on these kits/agencies to move these kits forward; work with agencies to make decisions on kits by December 2021.</p>
<b>Objective 1.2</b> – Increase the number of scientists at the Lab in order to keep up with testing demand	<b>Performance Measure or Milestone 1.2</b> – Continue to advocate for and educate the legislature about the need for 12 additional scientists. Work to have additional scientists included in 2021-2023 budget.
<b>Objective 1.3</b> – Train newer scientists and technicians on Lean Six Sigma in order to achieve efficiencies in testing evidence	<b>Performance Measure or Milestone 1.3</b> – Lab management is currently exploring options for this training. Goal is to provide training over the course of 2021 and 2022.

Goal 2 – Provide excellent legal counsel and defense to the State	
<b>Objective 2.1</b> – Ensure that each state agency, board and commission has the best representation possible	<b>Performance Measure or Milestone 2.1</b> – Work with the Legislature to address personnel needs to provide effective counsel that have arisen from the \$10 million budget cut in 2017. Continue to enter into MOUs with agencies to fund attorneys until the budget situation is addressed. Ask client agency heads for feedback annually on our performance and their needs.
<b>Objective 2.2</b> – Increase practice-specific training opportunities	<b>Performance Measure or Milestone 2.2</b> – As part of our emphasis on providing excellent legal services, offer timely and practice-specific training

	and education to our staff via monthly lunch and learns and outside CLE opportunities, including offerings from the National Association of Attorneys General and Attorney General Alliance.
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Goal 3 – Provide local law enforcement agencies with high value, cost effective, and responsive officer training, licensure, and certification activities	
<b>Objective 3.1</b> – Provide training and standards that focus on 21 <sup>st</sup> Century policing	<b>Performance Measure or Milestone 3.1</b> – Continue the North Carolina Justice Academy’s work to provide relevant and cost-effective training to best serve officers and communities in today’s environment. Measure online and in-person courses taken and survey law enforcement for feedback on topics being provided.
<b>Objective 3.2</b> – Provide thorough and efficient certification for law enforcement agencies	<b>Performance Measure or Milestone 3.2</b> – Criminal Justice Standards and Sheriffs’ Standards Divisions will continue to provide excellent customer service to law enforcement agencies. Measure turn-around time on providing certifications and testing-results.

Goal 4 – Develop and lead policy implementation to protect North Carolinians	
<b>Objective 4.1</b> – Address the opioid epidemic	<b>Performance Measure or Milestone 4.1</b> – The opioid epidemic will continue to be a top priority for our office as we work with law enforcement and other stakeholders to focus on prevention, treatment, and enforcement. Continue to provide training, support, and a forum to share best practices with law enforcement agencies on important policy topics. Obtain resources for the state to use for opioid abatement.

<p><b>Objective 4.2</b> – Task Force for Racial Equity in Criminal Justice</p>	<p><b>Performance Measure or Milestone 4.2</b> –</p> <p>Educate the public about the recommendations of the Task Force and work with stakeholders to implement those recommendations. Track the progress of implementation.</p>
<p><b>Objective 4.3</b> – Put and keep violent criminals behind bars</p>	<p><b>Performance Measure or Milestone 4.3</b> –</p> <p>Provide excellent prosecution services to District Attorneys who have conflicts or need support in handling complex cases. (Track number of cases and number of convictions.) Increase the number of criminal appellate attorneys in DOJ. To effectively represent the state in all criminal appeals, our Department continues to need additional appellate attorneys. We will continue to work with the Governor and the Legislature to address this need.</p>



## 4. Highlights and Opportunities

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### Agency Highlights and Best Practices

#### ***Criminal Division***

In 2020, the North Carolina Department of Justice handled approximately 524 appellate cases. Our office also handled more than 69 non-capital habeas cases in federal court and in capital post-conviction matters.

In 2020, DOJ's special prosecutions work referred from district attorneys included cases involving second degree murder, felony statutory rape, indecent liberties with a child, and involuntary manslaughter. In tax fraud cases, special prosecutions won \$484,968.32 in restitution to the state.

The State Crime Lab accepted 42,064 cases and completed 39,122 case records.

The Public Safety Section handled more than 70 cases including prisoner litigation in federal court, Crime Victim's Compensation Commission appeals, personnel cases, and appeals involving the satellite-based monitoring of sex offenders.

The Law Enforcement Liaison Section of NCDOJ defends the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission when it devises or rescinds certification of an officer or law enforcement agency.

In 2020, the Criminal Justice Standards Commission certified 3,819 law enforcement officers and conducted 141 investigations. The Commission certified 2,479 correctional officers and conducted 25 agency audits.

The North Carolina Justice Academy offered 447 courses, completed 180,643 online course trainings, and trained 4,555 students.

#### ***Consumer Protection Division***

In 2020, the Consumer Protection Division received 31,019 consumer complaints about scams and harmful business practices. Of these complaints, 1,552 were reports of elder fraud. Last year, the NCDOJ returned to consumers \$975,000 based on these complaints.

The Department of Justice won roughly \$65 million in settlements and court awards on behalf of the people of North Carolina.

#### ***Protecting the State***

In 2020, the Medicaid Investigations Division closed 54 criminal cases, 66 civil cases, and 114 investigations. In all, the division recovered nearly \$20 million in Medicaid funding, settlements, and criminal and civil restitutions for the benefit of taxpayers.

Attorneys resolved nine health care personnel registry cases to prevent unlicensed health care workers with substantiated findings of abuse, neglect, misappropriation, and fraud or drug diversion from caring for vulnerable residents. DOJ also resolved 78 adult care licensure cases to successfully protect some of the state's most fragile population.

We also fought to ensure children received the child support they are entitled to under the law in approximately 49 cases and trained child welfare staff to help them protect abused, neglected, and dependent children in juvenile court.

Attorneys handled more than 955 Medicaid appeals, which saved the state millions in Medicaid costs and fought for and successfully certified \$1,072,663 for collection in delinquent child support for children who are entitled to child support payments.

Lawyers representing the Department of Transportation closed more than 236 condemnation cases and 17 Map Act cases. They also closed 25 cases involving motor vehicles administration actions, title actions, civil litigation, and personnel cases.

Our Solicitor General's office earned a win at the U.S. Supreme Court in *Allen v. Cooper*, a case that relates to the ongoing work by the North Carolina Department of Natural and Cultural Resources to recover, preserve, and educate the public about Blackbeard's flagship, the Queen Anne's Revenge, which sunk off the coast of North Carolina more than three centuries ago. The Solicitor General's office successfully argued the case, reaffirming that all states retain certain core aspects of sovereignty, including sovereign immunity from copyright lawsuits.

## Potential Initiatives

### **Sexual Assault Kits:**

Continue to obtain funds to test untested sexual assault kits. Work with Governor and Legislature to ensure the State Crime Lab has the resources needed to keep up with increases in sexual assault kit submissions and quickly process evidence for local law enforcement.

### **Legal Services Staffing:**

Work with the Legislature to address staffing needs that have arisen from the \$10 million budget cut in 2017. In order to effectively handle criminal appeals for the State as well as serve the State's departments, agencies, and boards and commissions, restoring a large portion of the budget cut is necessary.

## Collaborative Opportunities

Identify opportunities for statewide or inter-agency collaborative initiatives that would yield significant efficiencies or improve effectiveness in State programs.

### **Opioid Settlements:**

Our office is partnering with the NC County Commissioners' Association, NC League of Municipalities, Legislature, and Governor's Office to ensure settlement funds from opioid manufacturers and distributors is used as efficiently and effectively as possible to address the opioid epidemic and provide treatment and abatement services.